



House of Representatives

File No. 862

General Assembly

January Session, 2011

(Reprint of File No. 246)

Substitute House Bill No. 6410
As Amended by House
Amendment Schedule "A"

Approved by the Legislative Commissioner
May 31, 2011

AN ACT CONCERNING THE REVISION OF MUNICIPAL CHARTERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 7-190 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2011*):

4 (b) The appointing authority shall direct the commission to consider
5 those recommendations included in the petition and may make other
6 recommendations to the commission. [The] Any commission
7 appointed prior to October 1, 2011, may also consider other items for
8 inclusion in the proposed charter, other changes to the charter or home
9 rule ordinance and such other items as it deems desirable or necessary,
10 and any commission appointed on or after said date may only consider
11 such other changes or items to the charter or home rule ordinance if
12 authorized by the appointing authority. The commission shall in its
13 reports comment on each recommendation [which] that it has been
14 directed to consider, if any, and on such other changes or items, if
15 applicable. The appointing authority shall specify by resolution when

- 16 the commission shall submit its draft report, which shall be not later
17 than sixteen months from the date of its appointment.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011</i>	7-190(b)

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 12 \$	FY 13 \$
Various Municipalities	Potential Cost/Potential Cost Avoidance	Minimal	Minimal

Explanation

Enactment of the bill may increase the likelihood that a charter commission is appointed in any given municipality. Minimal costs (estimated at less than \$2,000) would be incurred for a commission to hold at least two public hearings (required per CGS Sec. 7-191).

However, the cost¹ of conducting charter revision may be lessened, as the bill would potentially limit the scope of work undertaken by a commission (as compared to under current law). The potential cost avoidance due to limiting the scope of work is anticipated to be minimal, likely less than \$5,000.

House "A" strikes the original bill and results in the fiscal impact described above.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sHB 6410 (as amended by House "A")*****AN ACT CONCERNING THE REVISION OF MUNICIPAL CHARTERS.****SUMMARY:**

By law, a commission appointed to draft or amend a municipal charter or amend a home rule ordinance must consider (1) the changes or items specified in the petition that initiated the adoption or revision process, if applicable, and (2) anything else the appointing authority recommends. Under current law, the commission may consider additional changes or items it deems desirable or necessary. This bill allows any commission appointed on or after October 1, 2011 to consider additional items or changes only if the appointing authority authorizes it to.

*House Amendment "A" limits the bill's application to commissions appointed on or after October 1, 2011.

EFFECTIVE DATE: October 1, 2011

BACKGROUND***Charter Adoption and Revision Process***

The law authorizes towns to adopt or amend a charter or amend a home rule ordinance and specifies the process for doing so. The town's legislative body (i.e., appointing authority) or the town's voters can initiate the process by resolution or petition, respectively. The legislative body must appoint a commission, which must consider any item the legislative body or the petition specifies.

¹ Charter commissions may expend appropriated funds to engage employees and enter into consultant contracts (per Section 7-201 CGS).

The commission and the legislative body must hold public hearings on the proposal according to a statutory schedule. The legislative body can recommend changes to the commission's proposal, but the commission does not have to accept them. After the commission finalizes its proposed charter or amendments, the legislative body can accept or reject all or parts of it. Voters can petition for a referendum on the rejected parts and must ultimately vote on the proposal, regardless of whether the legislative body initially approved it.

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 19 Nay 0 (03/11/2011)